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00862.023263

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Tsuneo TAKASHIMA )  
Application No.: 10/676,091 )  
Filed: October 2, 2003 )  
For: BEARING ASSEMBLY, STAGE DEVICE )  
USING SAME, AND EXPOSURE )  
APPARATUS USING SAME )

Examiner: D. D. Le  
Group Art Unit: 2834  
Confirmation No.: 8388  
June 17, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Response to Election of Species Requirement in the above-identified application.

☒ No additional fee is required.

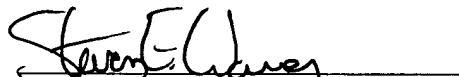
The fee has been calculated as shown below:

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	16	MINUS	20	= 0	x \$9 \$18	\$0.00
INDEP. CLAIMS	1	MINUS	3	= 0	x \$43 \$86	\$0.00
Fee for Multiple Dependent claims \$145/\$290						\$0.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0.00

☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☐ Charge \$\_\_\_\_ to Deposit Account No. 06-1205. A duplicate of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 CFR 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate of this paper is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_\_ month extension is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address given below.

Respectfully submitted,

  
Attorney for Applicant  
Steven E. Warner  
Registration No. 33,326

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RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Sir:

Applicant respectfully traverses the election of species requirement set forth in the Office Action dated May 26, 2004.

In the Office Action, the Examiner asserts that the subject application contains claims directed to two patentably distinct species of the invention. As asserted by the Examiner, Species I, claims 2-13, is directed to a magnetic bearing assembly, and Species II, claims 14-16, is directed to an exposure apparatus. The Examiner also asserts that claim 1 is generic to both species.

At the outset, Applicant notes that the Examiner considers claims 14-16 to be directed to exposure apparatus, when in fact, they are directed to a table device, an exposure apparatus and a

semiconductor manufacturing method, respectively, each of which utilizes the bearing assembly recited in independent claim 1. Applicant submits, therefore, that independent claim 1 is not only generic, but also links the inventions recited in each of these dependent claims. Accordingly, all claims should be examined at once.

For the reasons noted above, a careful review of the subject application reveals that the various embodiments are so closely related as to not require separate fields of search. Accordingly, neither Applicant nor the U.S. Patent and Trademark Office should be put through the trouble and expense entailed in multiple filing and prosecution. In addition, Applicant submits that the public-at-large should not be required to obtain and study several patents in order to have available all of the issued patent claims covering the invention.

Still further, the making of an election species is not mandatory in all instances where it is possible to do so. Rather, the Examiner may use his discretion and choose not to make an election of species where circumstances warrant. It is believed that such is the case in the subject application. Therefore, Applicant requests, under 37 CFR 1.143, that the Examiner reconsider and withdraw the election requirement set forth in the above-noted Office Action.

Nevertheless, in order to comply with the requirements of 37 CFR 1.146, and MPEP § 809.02(a), Applicant provisionally elects, with traverse, to prosecute the invention of Species I, namely claims 2-13, and generic claim 1.

Applicant further submits that the instant application is in condition for allowance. Favorable consideration and early passage to issue are requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven E. Warner", is written over a horizontal line.

Attorney for Applicant  
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